THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.5153 OF 2006

DATED: 4th SEPTEMBER, 2006.

Between :

Kadiyapu Chakra Rao … Petitioner

And

1. The Govt. of State of Andhra Pradesh, rep. by
   Its Secretary, Social Welfare Department (LTR-2)
   Secretariat Buildings, Hyderabad,
   And 4 others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.5153 OF 2006

ORDER :

Heard the learned Counsel for the petitioner and the learned Government Pleader for Social Welfare, appearing for the respondents.

The 2nd respondent herein, in exercise of powers conferred under Section 3 (2) of the A.P. Scheduled Areas (Land Transfer) Regulation 1 of 1959, ordered ejectment of the petitioner herein, from the land in his occupation. Aggrieved by the same, the petitioner preferred appeal, but the same was dismissed by the 1st respondent. Questioning the same, the petitioner preferred Revision Petition on 6-1-2006. Though the revision petition was taken on file on 12-1-2006, the application filed by the petitioner seeking stay of dispossession was not considered. Hence, this writ petition seeking a declaration that the order of ejectment passed by the Special Deputy Collector, as confirmed by the appellate authority, is arbitrary and illegal.

Since, admittedly, statutory revision is pending, it is not necessary for the Court to go into the merits of the case. However, pending statutory revision, I deem it appropriate to protect possession of the petitioner.

Accordingly, the Writ Petition is disposed of with a direction that the Revision Petition pending on the file of the 1st respondent shall be disposed of following due process of law, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of

this order. Till such time, the order of this Court dated 4-4-2006 directing to maintain Status Quo as to the nature and possession of the land in question shall continue. No costs.

G. ROHINI, J.

Dt. 4-9-2006

gbs